

THURSDAY, MARCH 28, 1996

EIGHTIETH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Jerry Holland, First Pentecostal Church, Henderson, Tennessee.

Representative Walley led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Duer; personal reasons

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 893: Rep(s). Haley as prime sponsor(s).

House Bill No. 2296: Rep(s). Boyer, Williams(Union), Bittle, McDaniel, Cantrell and Roach as prime sponsor(s).

House Bill No. 2414: Rep(s). Patton and White as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Resolution No. 199 -- Naming and Designating - "Ramp Festival Day," May 5, 1996. by *Davis.

State & Local Government Committee

***House Resolution No. 200** -- General Assembly, Studies - Continues house earthquake preparedness study committee. by *Kernell, *Bowers, *Jones R (Shelby), *Kent, *Haley, *Brooks, *Pinion.

Conservation & Environment Committee

House Joint Resolution No. 501 -- Naming and Designating - Designates Representative Pete Phillips as conductor and chief engineer of all Bedford County railroads. by *Bragg.

Held on House Desk

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 1, 1996:

House Joint Resolution No. 505 -- Memorials, Death - Tommy Wiggington, Mayor of Michie. by *Rinks.

House Joint Resolution No. 506 -- Memorials, Public Service - John David Jackson. by *Rigsby.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 1, 1996:

***Senate Joint Resolution No. 340** -- Highway Signs - "Ernest Crouch Memorial Bridge," Hickory Creek on S.R. 286, Warren County. by *Cooper, *Atchley, *Burks, *Carter, *Cohen, *Crowe, *Crutchfield, *Dixon, *Elsea, *Ford J, *Fowler, *Gilbert, *Hamilton, *Harper, *Haun, *Haynes, *Henry, *Holcomb, *Jordan, *Koella, *Kyle, *Leatherwood, *McNally, *Miller J, *O'Brien, *Person, *Rice, *Rochelle, *Springer, *Wallace, *Wilder, *Womack, *Wright.

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Senate Joint Resolution No. 386 -- Memorials, Sports - 1995 Goodpasture Christian School football team, TSSAA, Class 2-A state champions. by *Haynes, *Henry, *Harper.

Senate Joint Resolution No. 392 -- Memorials, Professional Achievement - Joe Smelser, Agribusiness Person of the Year. by *Atchley.

Senate Joint Resolution No. 394 -- Memorials, Sports - 1995-1996 Hickman County girls' basketball team. by *Springer.

Senate Joint Resolution No. 395 -- Memorials, Professional Achievement - WAMB Radio, 25th Anniversary. by *Henry.

Senate Joint Resolution No. 398 -- Memorials, Personal Occasion - Grover and Eva Marlin, 50th Anniversary. by *Haynes.

Senate Joint Resolution No. 399 -- Memorials, Sports - Erin McGinnis, TSSAA Class AAA Gill Gideon "Miss Basketball.". by *McNally, *O'Brien.

Senate Joint Resolution No. 400 -- Memorials, Sports - 1995-1996 Oak Ridge High School girls' basketball team. by *McNally, *O'Brien.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 3282 -- Kingsport - Subject to local approval, revises corporate powers and procedures relating to the passage of ordinances relative to charter. Amends Chapter 76 of the Private Acts of 1917; as amended. by *Westmoreland, *Venable, *Ramsey.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 2207** -- Utilities, Utility Districts - Requires natural gas distribution systems to belong to one-call service formed in geographical area in which systems operate. Amends TCA Section 65-31-107. by *Rochelle.

***Senate Bill No. 2346** -- Hazardous Materials - Restricts location of landfill disposal sites to 1,000 feet of residential, church or school property; fill areas to 100 feet from all property lines of landfill. Amends TCA Title 68, Chapter 212. by *Dixon.

Senate Bill No. 2677 -- Taxes, Real Property - Adds counties of Grundy, Benton, Lincoln, Lawrence, and Sevier to those counties authorized to accept partial payments of property taxes; changes rate at which local government pays interest on taxes on appeal from rate of the composite prime to two percentage points below composite prime rate. Amends TCA Title 67, Chapter 5. by *Rochelle.

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***Senate Bill No. 2719** -- Welfare - Requires every applicant and worker employed by a child welfare agency to submit a criminal history background record to department of human services; person shall not remain in employment of agency if prior felony conviction. Amends TCA Title 71. by *Kyle, *Harper.

Senate Bill No. 2934 -- Medical Occupations - Revises procedures relative to licensure as respiratory care therapist or physician assistant. Amends TCA Section 63-6-416 and Section 63-19-105. by *Womack.

***Senate Bill No. 2960** -- Sunset Laws - Adds disaster relief commission to sunset law, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2. by *Haynes, *Dixon.

***Senate Bill No. 2961** -- Sunset Laws - Interstate earthquake commission, June 30, 2002. Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2. by *Haynes, *Dixon.

***Senate Bill No. 2966** -- Sunset Laws - Southern region emergency management assistance compact, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2. by *Haynes, *Dixon.

***Senate Bill No. 2967** -- Sunset Laws - Tennessee emergency management agency, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2. by *Haynes, *Dixon.

***Senate Bill No. 3234** -- Rutherford County - Subject to local approval, enacts "Rutherford County Adequate Facilities Tax.". by *Womack.

Senate Bill No. 3247 -- Union County - Subject to approval of county commission, adds additional member to Districts 2 and 6 school board Amends Chapter 95 of the Private Acts of 1953; as amended. by *Wallace.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 3279 -- Hamilton County -- Local Bill Held on House Desk

House Bill No. 3280 -- Madison County -- Local Bill Held on House Desk

House Bill No. 3281 -- Rockwood -- Local Bill Held on House Desk

DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 3286 and 3285, was/were referred to the Delayed Bills Committee.

House Bill No. 3285 -- County Officers - Authorizes register of deeds of Dyer County to collect \$2.00 data processing fee for purchase and maintenance of computers and supplies. Amends TCA Section 8-21-1001. by *Cole (Dyer).

House Bill No. 3286 -- Sports - Permits mayor rather than governing body to appoint members of sports authority in Memphis and Shelby County. Amends TCA Title 7, Chapter 67. by *Chumney, *Towns, *Brooks, *Miller L, *Bowers, *Jones U (Shelby), *Turner (Shelby), *DeBerry J, *Byrd, *Haley.

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 28, 1996**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 1, 1996**: House Bill(s) No(s). 2555, 2542, 2409, 2654, 2142, 2141, 2279, 2664, 2489, 946, 937 and House Joint Resolution(s) No(s). 431 and Senate Joint Resolution(s) No(s). 226.

The Committee set the following bills on the **Regular Calendar** for **April 11, 1996**: House Bill(s) No(s). 2950.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **April 1, 1996**: House Bill(s) No(s). 2832, 2122, 2275 and 3059.

CONSENT CALENDAR

House Joint Resolution No. 499 -- Memorials, Personal Achievement - Michael Shane Browning, Eagle Scout. by *Eckles.

House Joint Resolution No. 502 -- Memorials, Professional Achievement - Art Masker, Jim Pryor Child Advocacy Award. by *Venable, *Westmoreland, *Ramsey.

House Joint Resolution No. 504 -- Memorials, Professional Achievement - Ricky Gooch and Package America. by *Pinion, *Stamps.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 96
 Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh – 96.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 775 -- Banks and Financial Institutions - Authorizes banks holding funds of two or more local governments to invest such funds in local government investment pool. Amends TCA Title 9, Chapter 4, Part 7. by *West. (*SB938 by *Haynes)

Further consideration of House Bill No. 775, previously considered on April 6, 1995 and April 13, 1995, and reset to today's Calendar.

Rep. West moved that House Bill No. 775 be re-referred to the Committee on Calendar & Rules, which motion prevailed.

House Bill No. 2771 -- Election Laws - Brings state voter purging procedure into compliance with National Voter Registration Law. Amends TCA Section 2-2-106. by *Purcell, *Ridgeway. (*SB2728 by *Crutchfield, *Kyle)

On motion, House Bill No. 2771 was made to conform with **Senate Bill No. 2728**; the Senate Bill was substituted for the House Bill.

Rep. Purcell moved that **Senate Bill No. 2728**, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 96
 Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby),

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A motion to reconsider was tabled.

House Bill No. 2773 -- Administrative Procedure - Authorizes secretary of state to contract for publication of rules and monthly administrative register. by *Purcell, *Ridgeway. (*SB2819 by *Crutchfield)

On motion, House Bill No. 2773 was made to conform with **Senate Bill No. 2819**; the Senate Bill was substituted for the House Bill.

Rep. Purcell moved that Senate Bill No. 2819, be passed on third and final consideration.

Rep. Jones R. (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2819 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 4-5-220(b), is further amended by adding the following language at the end of the subsection:

In any procedure used by the secretary of state in selecting a printer or publisher for the rules and regulations, any printing facility for state government shall be given an opportunity to submit a proposal or bid for such publication in the same manner as other printers or publishers.

On motion, Amendment No.1 was adopted.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

Rep. Purcell moved that **Senate Bill No. 2819**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....96
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odum, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

House Bill No. 2366 -- Child Abuse - Requires departments of health and human services to jointly develop information and instructional materials on shaken baby syndrome to be provided free of charge to health facilities, midwives and other child welfare agencies. by *Turner (Hamilton). (*SB2380 by *Crutchfield)

Rep. Turner (Hamilton) requested that House Bill No. 2366 be moved to the heel of the Calendar.

House Bill No. 3219 -- Transportation, Dept. of - Directs transfer of ferry at Clifton to Hardin County. by *Rinks. (*SB3214 by *Wilder)

Rep. Rinks moved that **House Bill No. 3219** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....91
Noes 1
Present and not voting..... 2

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel,

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McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Rigsby -- 1.

Representatives present and not voting were: Peach, Ridgeway -- 2.

A motion to reconsider was tabled.

House Bill No. 2569 -- Personnel Recruiting Services - Enacts "Tennessee Employment Agency Act." Amends TCA Title 47, Chapter 18 and Title 62, Chapter 31. by *Rinks, *Turner (Shelby), *Langster, *Jones, S.. (*SB2521 by *Haynes, *Koella)

On motion, House Bill No. 2569 was made to conform with **Senate Bill No. 2521**; the Senate Bill was substituted for the House Bill.

Rep. Rinks moved that Senate Bill No. 2521 be passed on third and final consideration.

On motion, Rep. Armstrong withdrew Consumer & Employee Affairs Committee Amendment No. 1.

Rep. Rinks moved that **Senate Bill No. 2521** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 2296** -- Driver Licenses - Revokes driver license if student fails to maintain satisfactory academic progress in school Amends TCA Section 49-6-3017;

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Section 55-50-502 and Sections 55-50-511 through 55-50-514. by *White, *Fitzhugh, *McMillan, *Hargrove, *Williams (Williamson), *McDonald, *Curtiss, *Roach, *Rinks. (SB2414 by *Springer)

On motion, House Bill No. 2296 was made to conform with **Senate Bill No. 2414**; the Senate Bill was substituted for the House Bill.

Rep. White moved that Senate Bill No. 2414, be passed on third and final consideration.

Rep. Davidson moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2414 by deleting Section 2 of the printed bill and by substituting instead the following:

Section 2. Tennessee Code Annotated, Section 49-6-3017(b), is amended by adding the following at the end thereof:

When a student licensed to operate a motor vehicle is enrolled in a secondary school and fails to maintain satisfactory academic progress based on end of semester grading, the attendance teacher or superintendent shall follow the procedure set out in this subsection to notify the department of safety. A student who fails to maintain satisfactory academic progress based on end of semester grading may not be considered as being in compliance with this section until such student makes a passing grade in at least three (3) full unit subjects or their equivalency at the conclusion of any subsequent grading period.

AND FURTHER AMEND by redesignating Section 6 of the printed bill as Section 8 and by inserting the following new sections:

Section 6. Tennessee Code Annotated, Section 49-6-3017(d), is amended by inserting the words "or such student's failure to maintain satisfactory academic progress based on end of semester grading" after the word "diploma" in the first sentence.

Section 7. Tennessee Code Annotated, Section 49-6-3017(d), is further amended by inserting the words "or such student's failure to maintain satisfactory academic progress based on end of semester grading" after the word "withdrawal" in the last sentence.

On motion, Amendment No. 1 was adopted.

Rep. Davidson moved adoption of Education Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2414 by adding the following new section to be appropriately designated:

SECTION _____. Tennessee Code Annotated, Section 49-6-3017, is amended by adding a new subsection thereto, as follows:

(e) A copy of the notice sent to the department of safety by the attendance teacher or the superintendent upon failure of a student to maintain satisfactory academic progress shall also be mailed to that student's parents or guardian.

On motion, Amendment No. 2 was adopted.

Rep. Davis moved the previous question, which motion prevailed by the following vote:

Ayes 75
Noes 17

Representatives voting aye were: Beavers, Bird, Bittle, Bowers, Boyer, Bragg, Buck, Burchett, Byrd, Callicott, Cantrell, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, S., Joyce, Kent, Kisber, Langster, McAfee, McDaniel, McDonald, McKee, McMillan, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Ramsey, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Turner (Hamilton), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood -- 75.

Representatives voting no were: Armstrong, Arriola, Bell, Brooks, Brown, Chumney, Clabough, DeBerry, L., Dunn, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, Kerr, Lewis, Miller, Rhinehart, Turner (Shelby) -- 17.

Rep. White moved that **Senate Bill No. 2414**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 79
Noes 15

Representatives voting aye were: Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Buck, Burchett, Byrd, Cantrell, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Davidson, Davis, DeBerry, J., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, S., Kent, Kisber, Langster, McAfee, McDaniel, McDonald, McKee, McMillan, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps,

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Stulce, Tindell, Turner (Hamilton), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 79.

Representatives voting no were: Armstrong, Arriola, Brooks, Brown, Callicott, Chumney, Jones, R. (Shelby), Jones, U. (Shelby), Joyce, Kernell, Kerr, Lewis, Miller, Rhinehart, Turner (Shelby) -- 15.

A motion to reconsider was tabled.

House Bill No. 893 -- Attorneys at Law - Redefines "legal practice" to include solicitation; permits victims of unauthorized legal practice to sue for actual damages or treble legal fees paid and attorneys fees. Amends TCA Title 23, Chapter 3. by *Herron, *Buck, *Jackson, *Windle. (*SB794 by *Haynes)

Rep. Herron moved that House Bill No(s). 893 be reset to the Regular Calendar for April 1, 1996, which motion prevailed.

***House Resolution No. 68** -- General Assembly, Studies - Creates study committee to examine issues relating to reinstatement of driver licenses. by *Robinson.

Rep. Robinson moved that House Resolution(s) No(s). 68 be reset to the Regular Calendar for April 4, 1996, which motion prevailed.

House Bill No. 2519 -- Evidence - Requires owner of rental car to give notice that it is overdue within 72 hours of time car due back before failure to return car becomes evidence of willful intent to deprive owner of car. by *Buck. (*SB2783 by *Cohen)

On motion, House Bill No. 2519 was made to conform with **Senate Bill No. 2783**; the Senate Bill was substituted for the House Bill.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

Rep. Buck moved that Senate Bill No. 2783, be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Arriola moved the previous question, which motion prevailed.

Rep. Buck moved that **Senate Bill No. 2783** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 94
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 1328 -- Guardianship - Changes from 18 to 21 age at which guardianship of minor terminates unless person for whom guardian was appointed shows good cause to court why guardianship should terminate earlier than 21. - Amends TCA Title 34. by *Buck. (*SB1563 by *Kyle)

On motion, House Bill No. 1328 was made to conform with **Senate Bill No. 1563**; the Senate Bill was substituted for the House Bill.

Rep. Buck moved that Senate Bill No. 1563, be passed on third and final consideration.

Rep. Buck requested that Senate Bill No. 1563 be moved down 10 places on the Calendar.

***House Bill No. 2834** -- Medical Occupations - Revises procedures relative to licensure as respiratory care therapist or physician assistant. Amends TCA Section 63-6-416 and Section 63-19-105. by *Jones, S.. (SB2934 by *Womack)

On motion, House Bill No. 2834 was made to conform with **Senate Bill No. 2934**; the Senate Bill was substituted for the House Bill.

Rep. Jones S moved that Senate Bill No. 2934 be passed on third and final consideration.

On motion, Rep. Byrd withdrew Health & Human Services Committee Amendment No. 1.

Rep. Jones S. moved that **Senate Bill No. 2934** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....97
 Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 2527 -- County Government - Changes publishing requirement for county budget to ten days prior to budget being adopted by governing body Amends TCA Section 5-8-507. by *Boyer. (*SB2582 by *Atchley)

On motion, House Bill No. 2527 was made to conform with **Senate Bill No. 2582**; the Senate Bill was substituted for the House Bill.

Rep. Boyer moved that Senate Bill No. 2582, be passed on third and final consideration.

On motion, Rep. Jones, R (Shelby) withdrew State & Local Government Committee Amendment No. 1.

Rep. Boyer moved that **Senate Bill No. 2582** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....96
 Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 2481 -- Loan Companies - Increases power of local government to regulate certain aspects of pawnbroker business. Amends TCA Title 45, Chapter 6. by *Bowers. (*SB2226 by *Kyle)

Rep. Bowers moved that House Bill No. 2481 be passed on third and final consideration.

Rep. Jones R. (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2481 by deleting in its entirety all the language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 45-6-219(a), is amended by deleting the language up to and including the colon, and by substituting instead the following language:

Counties, incorporated municipalities, cities and taxing districts in this state shall have the authority by ordinance to adopt the provisions of this part and shall have the authority to adopt such further rules and regulations as the legislative bodies of such counties, incorporated municipalities, cities and taxing districts may deem right and proper. No county, incorporated municipality, city or taxing district shall have authority to:

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Rhinehart moved the previous question, which motion prevailed.

On motion, Amendment No. 1 was adopted.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2481 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 45-6-219(a), is further amended by adding the following language at the end of the subsection:

Counties shall have no more authority than incorporated municipalities, cities and taxing districts have under the provisions of this subsection in regulating pawnbrokers.

On motion, Amendment No. 2 was adopted.

Rep. Bowers moved that **House Bill No. 2481**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh – 96.

A motion to reconsider was tabled.

***House Bill No. 2837** -- Bonds and Undertakings, Regulation of - Allows municipal utilities and natural gas districts to issue bonds in anticipation of collection of revenues from such public works. by *Boyer, *Bittle, *Burchett. (SB2997 by *Atchley, *McNally)

Rep. Boyer moved that House Bill No. 2837 be passed on third and final consideration.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2837 by deleting all language following the enacting clause and substituting instead the following:

Section 1. Tennessee Code Annotated, Section 7-34-111, is amended by adding a new subsection (d) and by redesignating the existing subsection (d) and the subsequent subsections accordingly:

(d) The governing body, or any board or commission of a municipality having jurisdiction, control and management of a natural gas distribution system, may borrow money in anticipation of the collection of revenues from such system and issue negotiable notes

to evidence such borrowing for the purpose of financing gas purchases, including storage costs and pipeline capacity costs. Any such notes shall be secured solely by a pledge of and lien on the revenues of such system. The principal amount of notes which may be issued during any twelve-month period shall not exceed sixty percent (60%) of total gas purchases for the same period, and all notes issued during such period shall be retired and paid in full on or before the end of such period. The notes shall be sold in such manner, at such price and upon such terms and conditions as may be determined by the governing body, board or commission issuing such notes. No notes shall be issued under this subsection unless the gas system for which the notes are to be issued has positive retained earnings as shown in the most recent audited financial statements of the system and the system has produced positive net income in at least one (1) fiscal year out of the three (3) fiscal years next preceding the issuance of the notes as shown on the audited financial statements of the system. No notes shall be issued without first being approved by the state director of local finance. If revenues of such system are insufficient to pay all such notes at maturity, any unpaid notes may be renewed one (1) time for a period not to exceed one (1) year or may be retired with funding bonds issued pursuant to Title 9, Chapter 11, or may be otherwise liquidated as approved by the comptroller of the treasury or the director of the division of local finance.

Section 2. Tennessee Code Annotated, Section 7-34-111(c), is hereby amended by adding after the words "funding of notes issued pursuant to" and before the words "this section," the words "subsection (a) of".

Section 3. This act shall take effect upon becoming a law, the public welfare requiring it

On motion, Amendment No. 1 was adopted.

Rep. Boyer moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2837 by deleting from Section 1 the language "a natural gas distribution system" and substituting instead the language "an electric power distribution system or a natural gas distribution system".

AND FURTHER AMEND by deleting from Section 1 the language "gas purchases" wherever it may appear and substituting instead the language "electrical power or gas purchases".

AND FURTHER AMEND by deleting from Section 1 the language "gas system" and substituting instead the language "electric system or gas system".

On motion, Amendment No. 2 was adopted.

Rep. Boyer moved that **House Bill No. 2837**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 2174 -- Tort Liability - Authorizes local governments to indemnify volunteers up to liability limits established by law for governmental entities; makes volunteer liable for any amount in excess of governmental entity liability limit. Amends TCA Title 29, Chapter 20. by *Boyer, *McMillan. (*SB2119 by *Cohen)

Rep. Boyer moved that House Bill No. 2174 be passed on third and final consideration.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2174 by adding the following subdivision to SECTION 1:

(3) Nothing in this subsection may be construed to affect the status of regular members of a voluntary or auxiliary firefighting, police or emergency assistance organization as employees of a governmental entity as provided in § 29-20-107(d), nor to impair any immunity granted to these personnel because of that status.

On motion, Amendment No. 1 was adopted.

Rep. Boyer moved that **House Bill No. 2174**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odum, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 3050 -- Education - Provides for pilot program in alternative education; appropriates \$95,000 for competitive grant for 1996-97 fiscal year. Amends TCA Title 49, Chapter 6. by *Jones U (Shelby), *Brooks. (*SB2748 by *Dixon)

Rep. Jones U (Shelby) moved that House Bill No. 3050 be passed on third and final consideration.

Rep. Davidson moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3050 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

On motion, Amendment No. 1 was adopted.

Rep. Jones U (Shelby) moved that **House Bill No. 3050**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 93
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, DeBerry, J.,

DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Head, Herron, Hicks, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

House Bill No. 2826 -- Municipal Government - Expands powers of municipality relative to central business improvement district to include decoration, restoration, improvement or renovation of building facades and exteriors which confer public benefit. Amends TCA Title 7, Chapter 84, Part 5. by *Armstrong, *Tindell, *Ritchie, *Dunn, *Burchett. (*SB2237 by *Gilbert)

On motion, House Bill No. 2826 was made to conform with **Senate Bill No. 2237**; the Senate Bill was substituted for the House Bill.

Rep. Armstrong moved that Senate Bill No. 2237, be passed on third and final consideration.

Rep. Jones R. (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2237 by deleting in its entirety all the language following the enacting clause, and by substituting instead the following language

SECTION 1. Tennessee Code Annotated, Section 7-84-520(4), is amended by deleting sub-item (L) in its entirety, and by substituting instead the following language:

(L) Aesthetic improvements, including the decoration, restoration or renovation of any public place or of building facades and exteriors in public view which confer a public benefit;

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Armstrong moved that **Senate Bill No. 2237**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 96
Noes 0

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Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowkes, Garrett, Givens, Gunnels, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odum, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 2365 --** Health - Requires facilities which offer specialized care and treatment of persons with Alzheimer's disease to disclose form of care and treatment provided for such persons. Amends TCA Title 68, Chapter 11, by *Turner (Hamilton), *Stulce, *Haley. (SB2479 by *Crutchfield, *Cohen, *Harper)

Rep. Turner (Hamilton) moved that House Bill No(s). 2365 be reset to the Regular Calendar for April 1, 1996, which motion prevailed.

House Bill No. 834 -- Municipal Government - Clarifies definition of "municipality" to include incorporated cities and towns and metropolitan governments; prohibits municipality undertaking residential development program for single family housing unless such project involves industrial development corporation. Amends TCA Title 6, by *Haley, *Shirley, *Bowers, *Brooks, *Byrd. (*SB670 by *Kyle)

Rep. Haley moved that House Bill No. 834 be passed on third and final consideration.

On motion, Rep. Bragg withdrew Finance, Ways & Means Committee Amendment No. 1.

Rep. Bragg moved adoption of Amendment No. 2.

Amendment No. 2

AMEND House Bill No. 834 by deleting Section 1 of the printed bill and substituting the following:

SECTION 1. Tennessee Code Annotated, Title 6, Chapter 54, Part 1, is amended by adding the following new section:

Section 6-54-121.

(a) No municipality shall have, or acquire by private act or amendment to a charter, the power to acquire undeveloped real property for the purpose of development or subdivision into residential or commercial lots for resale.

(b) This section shall not affect any power which a municipality may have by general law or private act to engage in slum clearance or the redevelopment of blighted areas, or the construction or development of subsidized low or moderate income housing under state or federal law.

(c) As used in this section "municipality" includes incorporated town or cities, metropolitan governments, or counties.

Rep. Haley requested that House Bill No. 834 be moved down 3 places on the Calendar.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

House Bill No. 2979 -- Cemeteries - Authorizes state historical commission to evaluate cemeteries and offer assistance as funds are available. Amends TCA Title 46 and Title 67, Chapter 5. by *Napier, *Garrett, *Robinson. (*SB3059 by *Jordan)

Rep. Napier moved that House Bill No. 2979 be passed on third and final consideration.

Rep. Jones R. (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2979 by deleting all language following the enacting clause and substituting instead the following:

SECTION 1. This act shall be known as and may be cited as the "Family Burial Grounds Protection Act". This bill is intended to provide notice to buyers of property with known burial grounds and gravesites. It does not remove any protection to those sites under existing law.

SECTION 2. As used in this part, unless the context otherwise requires: (1) "Crypt" has the same meaning as used in §46-1-102(8);

(2) "Gravesite" means a space of ground used for lawful interment of a deceased person; and (3) "Human remains" or "remains" has the same meaning as used in §46-1-102(10).

SECTION 3. (a) A deed for real property which indicates the presence of a gravesite or crypt containing human remains on the property

conveyed obligates the immediate and future buyer(s) of the property to protect such gravesite or crypt from disturbance. The seller of the property has the responsibility of seeing that the deed is properly amended to reflect the presence of the gravesite or crypt.

(b) Real property which has a deed that reflects the presence of human remains on the property is protected from disturbance or development as follows:

(1) A gravesite may not be disturbed in the area of ten feet (10') surrounding the perimeter of the gravesite; and

(2) A crypt may not be disturbed in the area of five feet (5') surrounding the perimeter of the crypt.

(c) The owner of real property which has a deed that reflects the presence of human remains on the property has the option of transferring the remains, at the owner's expense, pursuant to the procedure for termination of use as a cemetery in Tennessee Code Annotated, Title 46, Chapter 4. Upon complete transfer of all human remains from such property which are properly described on the deed, the buyer has the right to the use of the area previously containing the remains as is consistent for the remainder of the property.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Napier moved that **House Bill No. 2979**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 96
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***Senate Bill No. 1563** -- Guardianship - Changes from 18 to 21 age at which guardianship of minor terminates unless person for whom guardian was appointed shows good cause to court why guardianship should terminate earlier than 21. Amends TCA Title 34. by *Kyle. (HB1328 by *Buck)

Further consideration of Senate Bill No. 1563, previously considered on today's Calendar, at which time the Senate Bill was substituted for the House Bill.

Rep. Buck moved that Senate Bill No. 1563, be passed on third and final consideration.

Rep. Buck moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1563 by deleting all of the printed bill following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 34-12-106, is amended by deleting the section in its entirety and by substituting instead the following:

(a) Except as provided in subsection (c), when the minor for whom a guardian of the person is serving attains the age of eighteen (18) years of age, the guardianship of the person of the minor shall terminate.

(b)(1) When the minor for whom a guardian of the estate of the minor is serving attains the age of twenty-one (21) years of age, the guardianship shall terminate notwithstanding that such minor reached the age of majority prior to such time.

(2) A person for whom a guardian of the estate of such person has been appointed who has attained the age of eighteen (18) years of age but is not yet twenty-one (21) years of age may petition the court to terminate the guardianship of the estate of such person prior to such person becoming twenty-one (21) years of age.

(3) The burden of demonstrating why the guardianship of the estate of such a person should terminate prior to such person becoming twenty-one (21) years of age shall be on the person seeking termination. If the court finds that the minor is of such maturity to appreciate the financial responsibilities incumbent upon termination and that good cause for early termination has been shown, the court may grant the person's petition and terminate the guardianship of the estate.

(4) Within sixty (60) days after the guardianship of the estate of the person terminates, the guardian shall file a preliminary final

accounting with the court, which shall account for all assets, receipts and disbursements from the date of the last accounting until the date the guardianship of the estate terminates, and shall detail the amount of the final distribution to close the guardianship of the estate of the person. If no objections have been filed to the clerk's report on the preliminary final accounting within thirty (30) days from the date the clerk's report is filed, the guardian shall distribute the remaining assets. The receipts and final canceled checks evidencing the final distribution shall be filed with the court by the guardian. When the evidence of the final distribution is filed with the court, and on order of the court, the guardianship proceeding for the estate of the person shall be closed. A final accounting may not be waived by the minor for whom the guardian of an estate is serving regardless of the age of the minor.

(c) If a minor for whom a guardian of the person or estate is serving has previously been determined to be a disabled person, when the minor attains the age of eighteen (18) years, the guardian shall automatically continue as conservator. If the guardian is the department of human services, this subsection shall not apply.

SECTION 2. This act shall take effect January 1, 1997, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Hargrove moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1563 by deleting the effective date section and substituting instead the following:

This act shall take effect January 1, 1997, the public welfare requiring it and shall apply only to guardianships created on or after such date.

On motion, Amendment No. 2 was adopted.

Rep. Buck moved that Senate Bill No(s). 1563 be reset to the Regular Calendar for April 1, 1996, which motion prevailed.

House Bill No. 2818 -- Gas, Petroleum Products, Volatile Oils - Establishes procedures relative to underground petroleum storage tanks when lender acquires such property by foreclosure on security interest. by *Napier, *Cross, *Odom, *McAfee, *Curtiss, *Bittle. (*SB2601 by *Leatherwood)

THURSDAY, MARCH 28, 1996 -- EIGHTIETH LEGISLATIVE DAY

On motion, House Bill No. 2818 was made to conform with **Senate Bill No. 2601**; the Senate Bill was substituted for the House Bill.

Rep. Napier moved that Senate Bill No. 2601 be passed on third and final consideration.

On motion, Rep. Odom withdrew Conservation & Environment Committee Amendment No. 1.

Rep. moved that **Senate Bill No. 2601** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	0
Present and not voting	6

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, DeBerry, J., DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Roach, Robinson, Sharp, Shirley, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 87.

Representatives present and not voting were: Brooks, Brown, Clabough, Lewis, Ritchie, Stamps -- 6.

A motion to reconsider was tabled.

House Bill No. 834 -- Municipal Government - Clarifies definition of "municipality" to include incorporated cities and towns and metropolitan governments; prohibits municipality undertaking residential development program for single family housing unless such project involves industrial development corporation. Amends TCA Title 6. by *Haley, *Shirley, *Bowers, *Brooks, *Byrd. (*SB670 by *Kyle)

Further consideration of House Bill No. 834, previously considered on today's Calendar, at which time the House withdrew Amendment No. 1 and adopted Amendment No. 2.

Rep. Haley moved that House Bill No. 834, as amended, be passed on third and final consideration.

Rep. Bragg moved that the House reconsider its action in adopting Amendment No. 2, which motion prevailed.

Rep. Bragg moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Bragg moved that the House reconsider its action in withdrawing Amendment No. 1, which motion prevailed.

Rep. Bragg moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 834 by deleting Section 1 of the printed bill and substituting the following:

SECTION 1. Tennessee Code Annotated, Title 6, Chapter 54, Part 1, is amended by adding the following new section:

Section 6-54-121.

(a) No municipality shall have, or acquire by private act or amendment to a charter, the power to acquire undeveloped real property for the purpose of development or subdivision into residential lots for resale.

(b) This section shall not affect any power which a municipality may have by general law or private act to engage in slum clearance or the redevelopment of blighted areas, or the construction or development of subsidized low or moderate income housing under state or federal law.

(c) As used in this section "municipality" includes incorporated town or cities, metropolitan governments, or counties.

On motion, Amendment No. 1 was adopted.

Rep. Haley moved that **House Bill No. 834**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, DeBerry, J., DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Head, Herron, Hicks, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner

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(Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Joint Resolution No. 497 -- Memorials, Sports - Memphis East High School boys' basketball team, 1995-96 Class AAA state champions. by *DeBerry L, *Naifeh, *Brooks, *Kernell, *Jones U (Shelby), *Kent, *Miller L.

Further consideration of House Joint Resolution No. 497 previously considered on March 26, 1996, at which time it was objected to on the Consent Calendar and reset for the Regular Calendar to March 28, 1996.

Rep. DeBerry, L moved that House Joint Resolution No(s). 497 be reset to the Regular Calendar for April 1, 1996, which motion prevailed.

Senate Joint Resolution No. 376 -- Memorials, Sports - Ollie Keller, Tennessee Sports Hall of Fame inductee. by *Gilbert, *Cohen, *Henry.

Further consideration of Senate Joint Resolution No. 376 previously considered on March 26, 1996, at which time it was objected to on the Consent Calendar and reset for the Regular Calendar to March 28, 1996.

Rep. Clabough moved that the House concur in Senate Joint Resolution No. 376.

Rep. Clabough moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Joint Resolution No. 376 by deleting from the second preamble clause the words "the Tennessee Sports Hall of Fame" and by substituting instead the words "the University of Memphis Sports Hall of Fame".

On motion, Amendment No. 1 was adopted.

Rep. Clabough moved that the House concur in **Senate Joint Resolution No. 397**, as amended, which motion prevailed by the following vote:

Ayes..... 93
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odum, Patton, Peach,

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Phelan, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

House Bill No. 2366 -- Child Abuse - Requires departments of health and human services to jointly develop information and instructional materials on shaken baby syndrome to be provided free of charge to health facilities, midwives and other child welfare agencies. by *Turner (Hamilton). (*SB2380 by *Crutchfield)

Further consideration of House Bill No. 2366, previously considered on today's Calendar.

Rep. Turner(Hamilton) moved that House Bill No. 2366 be passed on third and final consideration.

Rep. Byrd moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2366 by deleting from Section 3, subsection (c) the language "child welfare agencies", and by substituting instead the language "child welfare agencies under the jurisdiction of such department".

AND FURTHER AMEND by adding the following language in Section 3 at the end of subsection (a):

The department of health shall be the lead agency in developing such information and instructional materials.

AND FURTHER AMEND by deleting from Section 1(f) the language "midwives" and substituting instead the language "nurse midwives".

AND FURTHER AMEND by deleting from the first sentence of Section 3(b) the language "and midwives" and substituting instead the language "and nurse midwives".

AND FURTHER AMEND by deleting the last sentence of Section 3(b) and substituting instead the following:

If a home birth is attended by a nurse midwife, the nurse midwife shall provide the information and instructional materials to the parents or guardians of the newborn.

On motion, Amendment No. 1 was adopted.

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Rep. Turner(Hamilton) moved that **House Bill No. 2366**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 96
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 200: Rep(s). Haley, Brooks, Kent, Pinion and Jones R (Shelby) as prime sponsor(s).

House Bill No. 251: Rep(s). Pruitt as prime sponsor(s).

House Bill No. 765: Rep(s). Walley as prime sponsor(s).

House Bill No. 2174: Rep(s). Fitzhugh, White, Stulce and Bittle as prime sponsor(s).

House Bill No. 2502: Rep(s). Bowers as prime sponsor(s).

House Bill No. 2575: Rep(s). Herron as prime sponsor(s).

House Bill No. 2776: Rep(s). Williams (Williamson) as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Beavers was/were removed as sponsor(s) of **House Bill No. 1167**.

MESSAGE FROM THE SENATE

March 28, 1996

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 374, 375, 377, 378, 379, 380, 381, 382, 383 and 396; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENROLLED BILLS

March 28, 1996

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 1336, 2973, 2988, 2991, 2993, 3265 and 3266; House Joint Resolution(s) No(s). 475, 476, 477, 481 and 484; also, House Resolution(s) No(s). 196, 197 and 198.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 28, 1996

The Speaker signed the following: House Bill(s) No(s). 1336, 2973, 2988, 2991, 2993, 3265 and 3266; House Joint Resolution(s) No(s). 475, 476, 477, 481 and 484; also, House Resolution(s) No(s). 196, 197 and 198.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 28, 1996

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 380, 480, 485, 486, 487, 488, 489, 490, 491 and 492; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

March 28, 1996

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 3219; also, House Joint Resolution(s) No(s). 499, 502 and 504.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 28, 1996

The Speaker signed the following: Senate Bill(s) No(s). 1942, 1966, 1975, 2128, 2132, 2141, 2171, 2182, 2374, 2509, 2510, 2512, 2757, 2985, 2989, 2991, 2995, 3019, 3052 and 3135; also, Senate Joint Resolution(s) No(s). 366, 370, 371, 372, 387, 388 and 389.

MESSAGE FROM THE SENATE

March 28, 1996

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2318; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED

March 28, 1996

The Speaker signed the following: Senate Joint Resolution(s) No(s). 374, 375, 377, 378, 379, 380, 381, 382, 383 and 396.

ENGROSSED BILLS

March 28, 1996

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 834, 2174, 2366, 2481, 2837, 2979 and 3050.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 28, 1996

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 392, 394, 395, 398, 399 and 400; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 392 -- Memorials, Professional Achievement - Joe Smelser, Agribusiness Person of the Year. by *Atchley.

Senate Joint Resolution No. 394 -- Memorials, Sports - 1995-1996 Hickman County girls' basketball team. by *Springer.

Senate Joint Resolution No. 395 -- Memorials, Professional Achievement - WAMB Radio, 25th Anniversary. by *Henry.

Senate Joint Resolution No. 398 -- Memorials, Personal Occasion - Grover and Eva Marlin, 50th Anniversary. by *Haynes.

Senate Joint Resolution No. 399 -- Memorials, Sports - Erin McGinnis, TSSAA Class AAA Gill Gideon "Miss Basketball.". by *McNally, *O'Brien.

Senate Joint Resolution No. 400 -- Memorials, Sports - 1995-1996 Oak Ridge High School girls' basketball team. by *McNally, *O'Brien.

MESSAGE FROM THE GOVERNOR

March 28, 1996

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1976, 2428, 2767, 2807, 3193, 3245, and 3252 with his approval.

HARDY MAYS, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

March 28, 1996

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 441, 465 and 466, with his approval.

HARDY MAYS, Counsel to the Governor.

CONSENT CALENDAR

March 28, 1996

The following local bills have been placed on the Consent Calendar for **April 1, 1996**: House Bill(s) No(s). 3268, 3270, 3276, 3274, 3275, 3269, 3267, 3281 and 3280.

ROLL CALL

The roll call was taken with the following results:

Present 94

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

RECESS MOTION

On motion of Rep. Purcell, the House recessed until 5:00 p.m., Monday, April 1, 1996.